

# **Notice of Allowability**

Application No.

10/718,082

Examiner

Alicia M Torres

Applicant(s)

SHONNARD, CLARENCE W.

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 13 December 2004.
2. ☒ The allowed claim(s) is/are 15-23.
3. ☒ The drawings filed on 20 November 2003 and 13 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Saile on 6 January 2005.

The application has been amended as follows:

Claims 1-3, 5, 7-11, 13 and 14 have been cancelled.

The following claims have been added:

15. A manual mobile harvesting apparatus for aquatic algae or floating vegetation in shallow areas of water that does not disturb the water bottom ecology, comprising:

a perforated self-draining deck with wheels on a transverse axle;

said wheels being hollow and capable of adjusting the buoyancy of said apparatus by adding or subtracting water and/or air into the hollow wheels;

said wheels being thermoplastic and including means for closing holes in the wheels to maintain a desired buoyancy of the wheels;

means for compacting and cutting said algae or vegetation attached to said deck;

said deck including a flexible plastic grid enclosed on all sides and by a top cover to collect the cut and compacted aquatic vegetation; and

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a manual push or pull handle attached to the deck, said handle being vertically movable from front to back over the deck in order to reverse direction of motion of the apparatus without turning the apparatus.

16. The apparatus of claim 15, wherein said handle is movable in an arc of up to 180 degrees.

17. The apparatus of claim 15, wherein said flexible plastic grid is a net.

18. The apparatus of claim 15, further comprising a non-on-board power source to aid in the movement of said apparatus.

19. A method for harvesting surface growing algae or floating vegetation that does not disturb the water bottom ecology comprising the steps of:

providing a harvester with a deck and hollow wheels connected to said deck, said deck including a handle movably attached to said deck and compacting and collecting means attached to said deck;

moving said harvester through said algae or vegetation at a set height above said water bottom;

said set height being adjusted by adjusting the buoyancy of said hollow wheels, wherein water and/or air fills the hollow wheels to maintain the buoyancy;

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providing an anchored floating mooring buoy with a pulley and ropes attached to said handle to controllably harvest said algae or vegetation; and

skimming, compacting and collecting said algae or vegetation on said deck wherein said water bottom ecology is unaffected by said harvesting.

20. The method of claim 19, wherein said harvester is moved by said handle, said handle being able to move in an arc of up to 180 degrees over said harvester so as to be able to either push or pull said harvester without turning said harvester.

21. The method of claim 20, wherein said harvester is moved with the aid of a non-on-board power source.

22. A manual mobile harvesting apparatus for harvesting aquatic algae or floating vegetation in shallow areas of water that does not disturb the water bottom ecology comprising:

a perforated self-draining deck with wheels on a transverse axle;

said wheels being hollow and capable of adjusting the buoyancy of said apparatus by adding or subtracting water and/or air into said hollow wheels;

means for collecting said algae or vegetation attached to said deck including a flexible plastic grid enclosed on all sides and by a top cover to collect said algae or vegetation;

a manual push or pull handle attached to said deck, said handle being vertically movable from front to back over said deck so as to reverse the direction of motion of said apparatus without turning said apparatus; and

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an anchored floating mooring buoy with a pulley and ropes attached to said handle that allows said apparatus to be moved forward or in a reverse direction and to controllably harvest said algae or vegetation.

23. A method for cutting and harvesting bottom growing aquatic vegetation and harvesting surface growing algae or floating vegetation in shallow areas of water that does not disturb a water bottom ecology comprising the steps of:

providing a harvester with a deck and hollow wheels connected to said deck and means for collecting said algae or vegetation attached to said deck including a flexible plastic grid enclosed on all sides and by a top cover to collect said algae or vegetation;

moving said harvester through said vegetation at a first set height above said water bottom to cut said bottom growing vegetation;

said vegetation being cut by compacting said vegetation and wedging the vegetation against a cutting means attached to said deck for cutting said vegetation;

collecting said cut vegetation into said flexible plastic grid wherein said water bottom ecology is unaffected by said cutting and harvesting;

moving said harvester at a second set height above said water bottom to harvest surface growing algae or floating vegetation; and

removing said flexible plastic grid from said deck and disposing of the algae or vegetation from said flexible plastic grid.

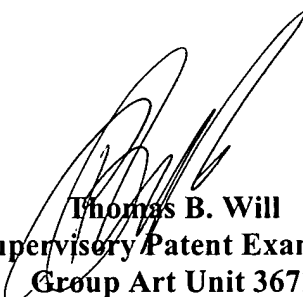
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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Torres whose telephone number is 703-305-6953. The examiner can normally be reached Monday through Thursday from 7:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached at 703-308-3870.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-1113. The fax number for this Group is 703-872-9306.



**Thomas B. Will**  
**Supervisory Patent Examiner**  
**Group Art Unit 3671**

AMT  
March 7, 2005